

AMENDED IN ASSEMBLY MARCH 14, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 156

Introduced by Assembly Member Lara

January 18, 2011

An act to amend Section 19902 ~~of of~~, and to add Section 19943.5 to, the Business and Professions Code, relating to gaming.

LEGISLATIVE COUNSEL'S DIGEST

AB 156, as amended, Lara. Gambling ~~control: sale or lease of licensee property: control.~~

Existing law establishes the California Gambling Control Commission and prescribes the requirements for obtaining a gambling license and defines a gambling establishment or licensed premises for these purposes. Existing law limits the transfer of property if the transferee has to be approved or licensed by the commission, and specifically prohibits a contract for sale or lease of real or personal property that requires approval of the commission, as specified, from specifying a closing date earlier than 90 days after the submission of the contract to the commission, as specified.

This bill would permit a contract for the sale or lease of real or personal property, subject to the limitations described above, to specify a closing date earlier than 90 days after the submission of the contract to the commission if the commission has approved the contract and the parties have requested it.

Existing law requires the department to approve the play of any controlled game, including, but not limited to, placing restrictions and limitations on how a controlled game is played.

This bill would provide that a gambling establishment that conducts play of a controlled game that has been approved by the department, but is later found to be unlawful, has an absolute defense to any criminal, administrative, or civil action provided the game was being played in the manner approved and, during the time for which it was approved, and play ceases upon notice that the game has been found unlawful.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 19902 of the Business and Professions
2 Code is amended to read:
3 19902. When any person contracts to sell or lease any property
4 or interest in property, real or personal, under circumstances that
5 require the approval or licensing of the purchaser or lessee by the
6 commission pursuant to subdivision (a) of Section 19853, the
7 contract shall not specify a closing date for the transaction that is
8 earlier than the expiration of 90 calendar days after the submission
9 of the completed application for approval for licensing. Except as
10 provided in this section, any provision of a contract that specifies
11 an earlier closing date is void for all purposes, but the invalidity
12 does not affect the validity of any other provision of the contract.
13 If the commission has approved a contract for sale or lease, the
14 commission may permit the contract to specify a closing date that
15 is earlier than the expiration of 90 calendar days after the
16 submission of the completed application, if so requested by the
17 parties to the contract.
18 SEC. 2. Section 19943.5 is added to the Business and
19 Professions Code, to read:
20 19943.5. *If a gambling establishment conducts play of a*
21 *controlled game that has been approved by the department*
22 *pursuant to Section 19826, and the controlled game is subsequently*
23 *found to be unlawful, so long as the game was played in the manner*
24 *approved, the approval by the department shall be an absolute*
25 *defense to any criminal, administrative, or civil action that may*
26 *be brought, provided that the game is played during the time for*

- 1 *which it was approved by the department and the establishment*
- 2 *ceases play upon notice that the game has been found unlawful.*

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